

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 20

24 HOUR FITNESS USA, INC.

Case 20-CA-35419

and

ALTON SANDERS, an individual

COUNSEL FOR THE ACTING GENERAL COUNSEL'S CROSS-EXCEPTIONS TO
THE DECISION OF THE ADMINISTRATIVE LAW JUDGE

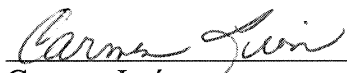
Submitted by
Carmen León
Richard McPalmer
Counsel for the Acting General Counsel
National Labor Relations Board
Region 20
901 Market Street, Suite 400
San Francisco, California 94103-1735

Counsel for the Acting General Counsel, pursuant to Section 102.46 of the Board's Rules and Regulations, excepts to the following portions of the Decision of Administrative Law Judge William L. Schmidt in 24 Hour Fitness USA, Inc.,¹ dated November 6, 2012:

1. The ALJ's inadvertent failure to conform the Conclusions of Law and his recommended Order to the provision of the Notice to Employees regarding the unlawfulness of the nondisclosure provision and consistent with the analysis in his decision. (ALJD 18-21)
2. The ALJ's inadvertent failure to include in his recommended Order and Notice to Employees that Respondent be ordered to file motions to vacate, jointly with affected employees if they so wish, any orders for individual arbitration granted at Respondent's request. (ALJD 19-21)
3. The ALJ's inadvertent failure to order Respondent to reimburse employees for any attorney's fees and litigation expenses directly related to opposing Respondent's unlawful motions to compel individual arbitration.

Dated at San Francisco, California, this 7th day of February 2013.

Respectfully submitted



Carmen León
Richard McPalmer
Counsel for the Acting General Counsel
National Labor Relations Board
Region 20
901 Market Street, Suite 400
San Francisco, CA 94103

¹ The Administrative Law Judge is referred to as the "ALJ" and the citations to the ALJ's decision are referred to as "ALJD __" followed by applicable page and line numbers.